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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rabbi Seth H. Frisch, senior rabbi of Historic Congregation Keshet Israel, from Philadelphia, PA.

The guest Chaplain offered the following prayer:

Dearest God, we look to You today, You who remembers all that we have forgotten and You who is the eternal source of blessing.

We stand before You on the eve of the Biblical Festival of Purim, a joyous time in which we read from the ancient and sacred scroll of the Book of Esther. It is in the scroll we read at first of a certain darkness, a darkness which would come to envelope the entire nation over which Esther would soon reign as Queen.

It was Queen Esther who became frightened when the plan revealing a plot to erase the sacred remnants of her people, along with the fundamental teachings of her faith, came to light; and yet it was Esther, who, when confronted by the impending darkness, was able to bring the plot to an end, allowing her people to emerge from the shadow of darkness—of this horror—and live freely, without fear, celebrating life itself in the light of their newfound freedom.

And now, standing here today, before You, on the eve of this festival, we, too, ask that You remember us for life, instilling within us a greater love of freedom, seeking both peace and prosperity for all the inhabitants of this great Nation.

And yet, Dear Lord, we would be remiss if we were not to remember those who have sacrificed much, suffered, and paid dearly with their lives, allowing all of us—to this day—a life of freedom

without fear, worshipping as we choose, and continuing to bask in that greater love which You shed and allow us to live within.

Teach us now and forever to celebrate our differences. Unify us to preserve and admire those differences among us—all of us—with respect and dignity for all the inhabitants of this Nation.

Lord, we ask You to bestow Your blessings today upon this assembly and upon the Nation which it serves. Bless all the inhabitants of this land with both prosperity and lasting joy, love, and freedom.

Yevarechecha Adonai,  
V'Yishmerecha.

May God bless you and keep you. May God bless the United States of America, and may God bless us all. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 27, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Elizabeth L. Branch, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

### GUN SAFETY

Mr. SCHUMER. Mr. President, after Columbine, Sandy Hook, Charleston, Orlando, Las Vegas, and too many more to name, the Nation convulsed, and we talked about reforming our gun safety laws to prevent more names and places from being added to the list. Each time, we talked, but the Senate, the House—this government—did nothing.

Now, in the wake of the tragic shooting at Stoneman Douglas High School that took the lives of another 17 Americans, we must try again to pass meaningful changes to our laws to keep our children safe. That is our duty, and there are many things we could and should pursue.

Yesterday, I suggested that comprehensive background checks would

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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be an excellent and necessary place to start. It doesn't make sense that we allow anyone, regardless of his criminal history—felons—or a history of mental illness, to walk into a gun show or to go online and buy a gun with no questions asked. There is no sense in that. When I wrote the Brady Law back in 1993, gun shows were not popular, and we didn't have internet sales to worry about at the time because there was no internet. These loopholes grew and grew and grew over time. Now, it is hard to know the exact number because we don't record the number of guns that are sold at gun shows or online, but about one-fifth of all gun sales happen without there being background checks.

It is likely that criminals and others who are up to no good have a higher percentage because they do not want to be detected and go through background checks. It is outrageous that so many guns are sold with there being no background checks whatsoever—whether you are a felon, one who is adjudicated mentally ill, or a spousal abuser. It is outrageous. We should close those loopholes and close them now. We should have comprehensive background checks, not just a little something here and a little something there. Comprehensive background checks are supported overwhelmingly by the American people.

Later this morning, just in about 15, 20 minutes, I will be meeting with several of the students—the brave, courageous students—from Stoneman Douglas High School. I want to hear what they have to say. These brave students, whether at the Florida statehouse or on national television, have spoken out with passion, with eloquence, with grace. I believe they are changing the way our country thinks about this issue. I hope—I pray—they compel us to do something significant because we cannot settle for half measures, not after what happened in Florida, not after so many tragedies.

The fix NICS bill is an idea that has wide support in this Chamber, but it is tiny. It is a grant program that addresses one specific issue. Now, we have a whole host of issues to address, not just one. Fix NICS was aimed by the Senator from Texas at a particular tragedy in Texas by which a member of the Air Force had a record that would have disqualified him from getting a gun, but the Air Force failed to send the statement to NICS. It is a good thing to make sure that doesn't happen, but we should not be aiming our gun legislation simply at one past tragedy. We must look to the future and what will prevent future tragedies. Comprehensive background checks will; the Fix NICS bill will not.

So let's not set our sights too narrow and squander this moment. Let's try for significant, bipartisan legislation that will make a real difference in keeping our children safe. Even as our caucus discusses what legislation is best—and in our leadership meeting,

we had an outstanding discussion this morning—I look forward to working with our Republican colleagues to see if we can get something real done.

#### NET NEUTRALITY

Mr. President, on another matter, today Senate Democrats will be introducing our legislation to reverse the FCC's repeal of net neutrality. It has the support of every single Democrat and one Senate Republican, Senator COLLINS from the State of Maine.

I say to all my Republican colleagues: This CRA is the best way to undo the terrible decision to repeal net neutrality. It is an important debate. At stake are two opposing visions of the future of the internet.

For its entire history, the internet has been free and open, accessible to all Americans. It has been a true public good, just as our highways have. Whether you are on Main Street or Wall Street, you have the same internet. Whether you are a consumer or big corporation, you have the same internet. Whether you are a teacher in a wealthy school or an underresourced school, you have the same internet. Equality of access has driven innovation and entrepreneurship and so much of what we value in the American spirit and the American economy. It is the American way.

Net neutrality rules were put in place to ensure that the internet remains that way—open and equal access to all, no matter who you are, how much money you have, how much power you have. But the repeal by the Republican-led FCC has opened us to an entirely new universe where internet service providers—the big boys—will have the authority to sell quality internet to the highest bidder. That means they could restrict customers' access to their favorite websites by forcing them to buy internet packages or pay more for premium services.

Big companies could pay to get faster internet service, while startups and small businesses and average Americans are left in the slow lane.

Everything from Netflix, to Amazon Prime, to Spotify, streaming television, sports, and movies could be slower if you don't pay up.

Public schools that don't pay for premium service could be put at a significant disadvantage.

Startups that are looking to get their businesses off the ground but aren't large enough to negotiate faster internet delivery with ISPs might never take off. Our startups in New York are scared to death of the elimination of net neutrality, and they have created hundreds of thousands of jobs in my city and millions throughout the country.

The internet without net neutrality is a tale of two internets, where the best internet goes to the highest bidder and everyone else loses.

We have an opportunity to save the internet with our CRA, which would reinstitute net neutrality rules that keep the internet just the way it is now.

Democrats believe that the future of the internet must be as free and open as in the past; that the startup founder living in her parents' basement should be able to compete with the world's largest corporations; that the young student in an underserved school district should be able to find all the information he needs online; that every American should be able to afford easily accessible internet. If we start grating the internet, it could dramatically hurt our economy and hurt equality in America—something we are all striving for.

Right now, unfortunately, only one Republican has signed up for the fair, open vision of an internet that we need and want to keep. All we need is one more. On this net neutrality day of action, I urge all Americans to contact their Senators and demand they sign up with us to save the internet.

#### REPUBLICAN TAX BILL

Mr. President, finally, a word on the Republican tax bill. When President Trump and congressional Republicans were trying to sell their tax bill, all we heard about was how it is going to be a boon to workers, stimulate investments in new factories, raise wages, and create jobs. It is a few months after the tax bill, and the promises have not been backed up by the evidence.

Now the evidence is flowing in that corporations are spending the lion's share of the benefits they reap on the tax bill not on workers but on goosing their own stock.

A headline from Monday's New York Times states "Trump's Tax Cuts in Hand, Companies Spend More on Themselves Than on Wages." The article goes on to document how the Republican tax bill has unleashed a wave of share buybacks and stock repurchasing programs, things which help out rich executives and shareholders but don't accomplish much for everyday American workers. If you are a CEO of a company, you are judged by whether your stock is going up. The quickest hit on that is to buy back your shares, reduce the number. It doesn't help your workers, it doesn't help American productivity, but it helps your bottom line, Mr. CEO.

That is so wrong, that we passed a huge tax bill and put ourselves in deep debt so that much of the money can go to corporate executives—not improving the actual performance of their companies but just raising the value of their stock by buybacks. That is so wrong.

The article in the New York Times documents how the Republican tax bill has unleashed this wave of share buybacks and stock repurchasing programs, which, as I said, helps out rich executives and shareholders but doesn't accomplish much for everyday workers.

Rather than investing in new equipment and research, raising wages, providing better benefits, and raising productivity, which we are so short of here

in America right now, corporate America is using the Trump tax cut to give itself a raise.

At Morgan Stanley—hardly a left-wing company—the analysts surveyed a bunch of companies, and the companies surveyed said that they would pass only 13 percent of the Trump tax cut savings on to workers, compared to the 43 percent that go to share buybacks. For manufacturers—we all care about manufacturing—it is even worse. They expect 9 percent to go to workers and 47 percent to go to share buybacks.

Republicans made a conscious decision to give corporations and the wealthiest Americans the lion's share of the tax cuts and promised it would trickle down to everybody else. Unfortunately, trickle-down never works. Corporate America is doing what is best for corporate America, and working America is getting left behind.

I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant Democratic leader.

#### GUN SAFETY

Mr. DURBIN. Mr. President, a few years ago, an author named Malcolm Gladwell wrote a book titled "The Tipping Point." He spelled out that in the course of history, when something occurs that changes people's thinking and actions, it is a precipitous moment where what has been done for so long stops, is reevaluated, and a different course is followed. The clear question we have in America today is whether we have reached a tipping point when it comes to gun violence.

It has only been 13 days since the tragedy in Parkland, FL. Look at what has happened since. Of course there is outrage, sadness, and mourning for the families who lost these wonderful students, teachers, and administrators, but beyond that, these high school students—17, 18 years old, some even younger—have become a national voice, a powerful voice on the issue of gun safety in schools.

I often wondered when this moment might occur or whether it would occur. There has been such a long litany and string of mass shootings and massacres. It is sad to say that there was a numbness setting in. When terrible things occurred in places like Las Vegas, Texas, and other States, you wondered, is that the event? Will the killing of those innocent children in Sandy Hook Elementary School in Connecticut be the tipping point? Will America finally say "enough"? It appears that on this day, 13 days after the tragedy in Florida, we are near or at a tipping point when it comes to gun safety.

Some of it is very personal. Two weeks ago, after this occurred, my 6-year-old granddaughter said to her mother that she had been warned in her first grade classroom that if a shooter should turn up at school firing a gun, first, she should stay away from the windows, and second, she should lie down on the floor. I can't tell you what a profound impact that had on me as a

grandfather to think that my little first grader, this beautiful little girl, was worried about the moment when somebody would walk in her classroom and wantonly try to kill the students and teachers who are there.

I cannot believe that any sane person believes that the Second Amendment to the Constitution—the right to bear arms—envisioned that possibility. I am sure it didn't. I am sure our Founding Fathers—and we can debate for the rest of the day what their words actually meant—never envisioned that an American citizen's right to bear arms could somehow translate into violence against so many innocent people, as it has over and over again.

Last week, I was in Chicago. I was joined at a press conference by gun safety advocates at the Martin Luther King Jr. Community Center on the South Side. We stood together, victims of gun violence and I, at a press conference. With me were advocates from Hadiya's Promise and the Illinois Council Against Handgun Violence, who have been working together for years to combat the scourge gun violence in Illinois. I also stood with Patrick Korellis, who was wounded on February 14 10 years ago at a mass school shooting at Northern Illinois University in DeKalb, IL.

A new voice came to join us, a graduate from Marjory Stoneman Douglas High School in Parkland, FL, named Francyn Brown. She graduated from Stoneman Douglas in 2009. She is currently a law student at the Chicago-Kent College of Law. She is one of dozens of Stoneman Douglas graduates in the Chicago area—which include, incidentally, the first baseman for the Chicago Cubs, Anthony Rizzo—and hundreds, if not thousands, nationwide who joined together in the aftermath of the February 14 mass shooting that killed 14 Stoneman Douglas students and 3 staff. These young men and women have come together to speak up and urge their lawmakers to do something about the Nation's epidemic of gun violence. The message is starting to resonate.

When Francyn Brown was speaking last Wednesday, students at schools across the Chicagoland area were walking out of class in solidarity with Stoneman Douglas students. They are all calling for commonsense gun reform. These students don't have time or patience for political games in Washington or Springfield. They have seen their friends, kids just like themselves, get shot in their classrooms and neighborhoods. They have had enough.

Francyn Brown said:

It's not supposed to matter what side of the aisle a politician sits. We are supposed to all protect the future of our children.

I couldn't agree more.

These students and young people across the country are changing the debate about gun violence. They are making it clear how absurd it is for lawmakers in this Chamber, across the rotunda, or in State capitals to do

nothing when Americans get shot every day in their homes, their neighborhoods, their churches, nightclubs, concerts, and schools. They are fed up with politicians in Washington who ignore the overwhelming majority of Americans who want commonsense gun safety and listen instead to paranoid, bullying gun sales lobbyists.

Remember, the National Rifle Association and its allies oppose virtually anything that hurts gun sales. They fight against proposals that might reduce gun sales, and they try to roll back laws on the books that limit them. That is their agenda. But it is not America's agenda. Corporate America is starting to walk away from the NRA. It is no longer a source of pride that they are doing business with the National Rifle Association—just the opposite. We are seeing company after company end relationships with the NRA because of its increasingly unhinged and hysterical rhetoric on the issue of gun safety. Corporate America—some of the biggest corporations in our Nation—realize that the NRA no longer speaks for responsible gun owners. When will Congress realize this?

We know we need to act to keep our children safe. There is no single reform that can stop every shooting, but we know there are gaps in our gun laws that make it easy for criminals, abusers, troubled children, and mentally unstable people to get guns, even military assault weapons with bump stocks and high-capacity magazines.

We need to close these gaps, and that requires the Republicans who control Congress to stand up to the NRA and do something that the NRA might not like. For starters, my Republican colleagues could take up legislation that the leader of their party, President Trump, proposed last Thursday. Here is one of the President's infamous tweets:

I will be strongly pushing Comprehensive Background Checks with an emphasis on Mental Health. Raise age to 21 and end sale of Bump Stocks! Congress is in a mood to finally do something on this issue—I hope!

And I hope as well.

There are proposals that Americans broadly support. Let's do something. Of course, the NRA is opposed to most of these. We expected that. These proposals might have some negative impact on gun sales, but is the gun sales lobby now in charge of writing bills for the Senate and the House? Deferring to the NRA is the reason we have reached this moment in history.

Remember, the Senate has held one gun vote since President Trump came to office, and it was a vote to prevent mental health records from the Social Security Administration from going into the FBI's gun background check system. That is the only vote since the Trump administration took office. It is the only thing we have done here—roll back a law on the books on mental health and background checks. That was a giveaway to the gun lobby, which claims to support enforcing the laws on the books but actually tries to roll

back those laws if it means helping to lift their sales.

Let's show the students at Stoneman Douglas and across the country that we hear them. I hope we show that reducing gun violence is a priority.

I call on my Republican colleagues to join the Democrats in a bipartisan effort to treat the issue of gun safety with the sense of urgency that the American people believe is necessary. If Republicans gave a fraction of the effort to gun safety that they have to other issues, we could get this done—and done quickly. There are plenty of reforms we could pass that are completely consistent with the Second Amendment and would save lives. Even President Trump, for the time being, has said that he supports them.

So let's get started. Not on a give-away to the gun lobby—let's work on closing loopholes. Let's have universal background checks. Over 90 percent of the American people believe we should keep guns out of the hands of convicted felons and mentally unstable people. I also believe that those who are subject to protective orders for domestic violence should be disqualified from buying a gun. I would say that those who are on the terrorist watch list, whom we do not allow to fly on airplanes because of fear that they could do harm to others, shouldn't be allowed to buy guns in the United States. I want to add a provision that straw purchasers—the girlfriends with no criminal record who buy the weapons to give to the boyfriends with a long criminal record—ought to have the book thrown at them. Let's get to work.

I want to thank the victims and advocates who have worked for many years to help reduce the epidemic of gun violence. I want them to know we stand with them, and I hope we can all stand with them on a bipartisan basis. I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

FIX NICS BILL

Mr. CORNYN. Mr. President, I heard the remarks of my colleague from Illinois, and I, too, hope that we can get past the rhetoric and the talking points of the past and actually do something meaningful when it comes to public safety and address the terrible tragedies like the one that occurred at Stoneman Douglas High School in Florida just 2 weeks ago. But we are not going to do it by trotting out our laundry lists of requests and saying that it has to be all of this or nothing because when you say here in Washington—and particularly in Congress—"I want everything on my list or I want nothing," one thing is for sure. You will end up with nothing, and that simply is an unacceptable outcome, particularly when it comes to the public safety crisis manifested here most recently at Stoneman Douglas High School in Florida.

We know that there were many, many failures; you might even call this a systemic failure when it comes to the

children at Stoneman Douglas High School. First and foremost, why didn't Federal and local law enforcement follow up on threats and warnings? This young man, the shooter who took the lives of 17 people, telegraphed in very clear, unmistakable language what he intended to do, but the very people whom we trust and entrust with public safety at the Federal and State levels did not respond.

We know that the alleged shooter was expelled from school for disciplinary reasons. We know that deputies in Broward County received at least 18 calls warning them over the course of several years—18 calls. We know about the disturbing YouTube posts, where the shooter basically said what he intended to do and did, in fact, do later. We know that the FBI received many disturbing tips from citizens about the imminent danger posed by the shooter.

Another question is whether mental health officials could have done more. We know that this young man had a long history of violent outbursts. We are told that in 2016 he reportedly attempted suicide by drinking gasoline. He had been accused of verbal slurs against racial and religious minorities.

We know that Florida has a State law, as some have advocated at the Federal level, that permits forced hospitalization of people in mental health crises, but it seems that in this particular case, mental health workers concluded that this individual was stable at the time they examined him. Why and how was that determination made, and why does that stand in such stark contrast to the picture that we have been able to draw as a result of all the information that we received since this terrible shooting? If law enforcement, public health workers, and school officials were communicating and coordinating effectively, would they have made the same decisions in this case? Could they have made a difference in the outcome? Well, I think we need the answers to those questions.

There are two other questions we need to answer as well. One is why and how did the shooter have access to firearms in the first place? Another is why didn't the school's armed resource officer intervene once the shooting began?

All of us are angry at the fact that this shooting happened, but that shouldn't tempt us into easy solutions that at the end of the day wouldn't make any difference in the outcome and wouldn't do any good. That is what we tend to get here in Congress when we have hard issues like this—easy solution talking points that lead to no effective action. We can't let that happen here. As one columnist put it last week, we can't fall victim to "the politics of false hope."

The most frequent refrain I hear in Washington after some tragedy like this occurs is "We need to do something." Well, we need to do something effective, something that would change the likely outcome. We may not be

able to protect every citizen against terrible tragedies like this, but there are things we can do that will make things better and that will be effective in changing the outcome and, I believe, in saving lives.

Real solutions require us to look at why the FBI and local law enforcement failed to respond to multiple warnings. I asked one police officer about this, and he said: Well, in America we can't arrest somebody for precrimes. In other words, we can't arrest somebody for an offense that they haven't committed yet. It is perhaps a flaw that is exposed in our system when, unfortunately, we can't anticipate who might commit these terrible offenses and stop them before they commit the act. That is a feature of our law enforcement system, but this isn't just another job for law enforcement. There are a lot more people who could contribute to a solution here and prevent these incidents from happening beyond law enforcement, who are, by our very Constitution, structured to investigate and prosecute crimes that have already occurred, not to stop them in the first place.

I think a fair question to ask is, What is the role of social media in preventing mass violence? When you have people basically telling us what they are getting ready to do and posting those on social media and nothing seems to happen as a consequence, it strikes me that something is terribly wrong there. What is the responsibility of these platforms? Well, we know that Congress has said, for example, that you have a responsibility to police your platform for things like child pornography. In other words, they can't be totally oblivious to the things that are being posted on these social media platforms. They have a responsibility to intervene in some cases, and maybe it ought to be in more cases.

What options currently exist to reporting disturbing content online? I believe in the YouTube video case, it was someone who actually saw it, was disturbed by it, and then reported it to the FBI. It was not even YouTube itself that identified it. Of course, they would be in the best position to identify it immediately. It was some third party who happened to see it, was disturbed by it, and contacted the FBI. Tragically, it was never followed up on. How often are these popular platforms reporting to police or Federal authorities when people actually threaten to commit acts of violence? If there are holes in the reporting protocol, we should close them.

That is why I think this is a systemic failure. When you look at mental health providers, when you look at law enforcement officials, when you look at the schools, when you look at the social media platforms, when you look at all of this together, I think it begins to give us some ideas about things we can do that may end up saving lives, and we should do them.

Members are discussing many ideas, which always happens after a tragedy

like this, and I am open to a conversation with anyone who shares my desire to take effective action to prevent another one of these tragedies. There is one proposal that has already been introduced that has won bipartisan support and has brought together advocates from all sides. It is really a unique piece of legislation because there are not many times that I can think of where people who are strong Second Amendment advocates and people who believe there ought to be more controls imposed on guns can come together to find consensus, to find common ground, but we have on a bill called the Fix NICS Act, which I introduced to strengthen the background check system.

It may take a long time to answer all the questions raised by the tragedy in Parkland, but one step we can take right now is to pass the Fix NICS bill. This bill has the unique quality of causing the junior Senator from Connecticut and me to reintroduce this bill. We couldn't be more ideologically different. He is a Democrat and I am a Republican, but we have come together on a bill that does enjoy broad bipartisan support and that, I believe, will save lives.

This bill was introduced in the wake of the shooting last fall in the small community near San Antonio called Sutherland Springs, TX. As we will recall, a deranged gunman with a criminal record and a history of violence and mental illness opened fire during a Sunday morning church service, killing 26 people and wounding 20 more. To add to the tragedy that had already occurred, this murderer's criminal conviction records were never uploaded to the FBI's National Instant Criminal Background Check System. When he went to purchase firearms, he lied about his record, and there was nothing in the criminal background check system to show that he lied and thus deny him the opportunity to purchase weapons. This failure to enforce our background check law allowed this shooter to walk into a gun store, pass a background check, and illegally purchase a firearm.

This bipartisan legislation would tighten the National Instant Background Check System. It is supported by people all across the political spectrum. It is even cosponsored by the Democratic leader, Senator SCHUMER, and is supported by Everytown for Gun Safety. It has brought together all sides in the gun debate—leaders on the Republican side and Democratic side alike.

Under current law, mentally ill individuals and persons convicted of violent crimes are prohibited by current law from purchasing or possessing firearms. This is to make sure that these laws are enforced and that criminal history information is uploaded into the NICS Federal database by State and Federal authorities.

For years, our colleagues across the aisle have said that they want reform

that would help stem the tide of gun violence perpetrated by dangerous criminals. Well, this is their chance. This is our chance. It is our chance to show the Nation that we refuse to accept shootings in schools and churches as the new normal, and we can do that. We can start doing that by passing Fix NICS this week.

Senator SCHUMER, the minority leader, said yesterday that he wants to wait, even though he is a cosponsor of the Fix NICS bill. He is a cosponsor of the bill, but he says that he wants to wait. He wants to wait and debate other ideas he knows are controversial and can't pass. Of course, that is his right as a Senator, but as I said earlier, if our attitude is "I want everything on my list or nothing," we are going to end up with nothing.

I, for one, am not willing to go home and look my constituents in the face and say that we had an opportunity to pass legislation, the Fix NICS bill, which will save lives in the future and will make sure that existing laws are enforced. I will not be able to go home and tell them, in good faith, that we have done everything we can in our power to help save lives. We can do that by passing bipartisan legislation that could pass today if it were put on the floor and voted on by a supermajority of the Senate.

I implore our Democratic colleagues to change course. Let's do the art of the possible. That is what politics is, the art of the possible. Let's do what we can immediately to pass Fix NICS and build from there. I am willing to work with them. The President is willing to work with them on things like bump stocks and the mental health failure, trying to make sure that our schools are safer and to make sure that social media platforms report threats of violence to law enforcement officials so they can be followed up on.

There are a lot of other things we can do, but the one thing we can do this week before we go home is to pass the Fix NICS bill and to send it to the House and have the President sign it into law. It will save lives.

I yield the floor.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, the Senate will soon vote to confirm another fine candidate to serve on the Federal bench.

Yesterday afternoon, we voted to advance the nomination of Judge Elizabeth Branch for the Eleventh Circuit Court of Appeals. Judge Branch has sat on the Georgia Court of Appeals since 2012. This follows a fine career that spanned both private practice and public service.

Judge Branch has previously answered the call to serve at the Department of Homeland Security, where she worked as associate general counsel, and then at the Office of Information and Regulatory Affairs. Her record and qualifications are well known.

Our colleagues on the Judiciary Committee reported her nomination favorably by an overwhelming vote. Confirming this worthy nominee will be a further credit to the outstanding work of Chairman GRASSLEY and the members of the committee.

I encourage all my colleagues to join me in voting to confirm Elizabeth Branch today. Let's continue to fulfill our constitutional responsibility and confirm the President's outstanding judicial nominees.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. YOUNG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXECUTIVE CALENDAR

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 387.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of William Northey, of Iowa, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Thereupon, the Senate proceeded to consider the nomination.

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Northey nomination?

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR—Continued

The ACTING PRESIDENT pro tempore. The Senator from Utah.

#### REMEMBERING FREDERICK DOUGLASS

Mr. LEE. Mr. President, 200 years ago this month, a man was born into slavery in a cabin not far from here in